

Landscape Partnership Grant Program
Fiscal Year 2013
Questions and Answers

1. Do all project parcels have to be directly connected?

No. All projects must have a core of at least 500 acres that are directly contiguous, or connected through other permanently protected land. Parcels in excess of that 500 acre core do not have to be contiguous, but should be nearby and have a justifiable ecological or economic connection to the rest of the project.

2. Will all awards be for only a single year?

Awards may be made for Fiscal Year 2013, 2014, or both years.

3. For single-year awards, how will decisions be made about whether to award them for FY13 or FY14?

EEA will make every effort to award projects funding in the year for which the project is best suited, provided funding is available. Applicants who feel their projects require a certain timing may discuss this in their project description.

4. Is a major river considered a fragmentor between parcels, such that project parcels on either side of it would not constitute the required 500+ acre contiguous core?

Small rivers and streams are not considered as fragmenting of parcels, so long as the parcels are across from each other. Parcels that are significantly up or downstream from other project parcels, or that are separated by major rivers, will be treated as not connected, but may be included in an otherwise eligible project as additional parcels or match.

5. Is it a requirement to include cover letters committing to the project from all project partners?

Yes. All applications must demonstrate that partners fully support the project and commit to making an investment of staff time, money, and/or long term stewardship in order to ensure a successful partnership. Projects that have firm commitments from at least two partners of different types may include additional potential project partners.

6. Do parcels being used as match have to meet the same appraisal requirements as parcels for which funding is sought?

Yes. Applicants must provide the appropriate appraisal(s) for all match parcels no later than April 2, 2013 (April 2, 2014 for FY14 awards).

7. May a project include land in different states?

A project may include land in adjacent states, however, funding from this program will not be awarded towards the purchase of land outside of Massachusetts, or towards any due diligence expenditures in support of acquiring land outside of Massachusetts. Entities in other states that do not operate in Massachusetts are able and encouraged to be involved in cross-border projects, however, they cannot be contracted project partners and cannot count as one of the minimum two primary partners.

There is significant value in maintaining landscape connectivity across state political boundaries; Massachusetts residents benefit from a host of ecosystem services provided by lands in neighboring states, and, the integrity of bordering lands provides an important buffer to preserve the quality of land within the Commonwealth.

A project may include land in an adjacent state if it is contiguous to the project parcel(s) in Massachusetts. Out-of-state parcels may be part of the project acreage, and/or the value may be used as project match. Appraisals must clearly and separately estimate the value of land in each state. Proof of acquisition and permanent protection of land in adjacent states must be submitted with a reimbursement request to be included. Proof of value and expenditure must be submitted to use the acquisition as match. Reimbursement payments for projects involving the acquisition of parcels in other states will not exceed the value of project parcels and eligible expenditures made in Massachusetts.

8. Do Conservation Restrictions gifted to a non-profit partner as part of a project have to have a government co-holder?

Yes. However, some exceptions to this may be made where specific circumstances require an alternative approach.

9. Can the Conservation Land Tax Credit be paired with this program?

Yes. The value of bargain sales, donations, and the tax credit may be used as match.

10. What if two appraisals on a property arrive at different conclusions of value?

When two appraisals that are otherwise acceptable have different conclusions of value for a single property, and the difference is less than 10%, the average of the value may be used. If the difference between appraisals is greater than 10%, EEA may request a revision of the originals, a review appraisal, or a third appraisal. Upon review of any appraisal, EEA may request a revision, review, or additional appraisal.

11. Can the US Forest Service's Community Forest and Open Space Conservation Program be paired with the Landscape Partnership grant?

Yes.

12. May promissory notes or other commitments to pay in the future be used by partners in anticipation of reimbursement from the Landscape Partnership program?

Reimbursement payments will be made *only* for actual expenditures, as documented by cancelled check, wire transfer statement, and attested statement by an organization's treasurer. While promissory notes or other commitments to future payment may be used by partners, *their value will not be included in calculations of total project cost and reimbursement.*

13. How should the number of employees on a forest, farm, or outdoor recreation business located on a project property be documented?

Applicants should provide a copy of the most recent forms submitted to the IRS declaring the number of people employed by a business. Sensitive unrelated information should be

redacted. Applicants may also discuss casual employment in the project narrative.

14. Are properties currently under a Farm Viability Enhancement Program term covenant eligible for Landscape Partnership grant funding? How should they be appraised?

Properties with a term covenant from the Farm Viability Enhancement Program (FVEP) are eligible for grant funding. EEA will adhere to established Department of Agricultural Resources protocol for converting term covenants to permanent restriction of the land. The appraisal should be conducted under the assumption that the property is not encumbered by the covenant. The covenant must be repaid on a prorated basis for any remaining term to DAR, according to the following:

1. All FVEP Covenants include an extra up-front expenditure for technical assistance, business planning, title work etc. This average expenditure is \$10,000 per project (the **“Base Fee”** or **“Conversion Fee”**), not including MDAR staff time, and this sum must be deducted from all conversions from an FVEP Covenant to an APR. FVEP Covenants that have fully expired at the time of Final Vote for APR incur no Conversion Fees, or if there is a prior agreement that the Commonwealth will not acquire an APR until the FVEP Covenant has fully expired. Applicable Base Fee will be deducted from the APR payment at closing on the APR.
2. For **5 year FVEP Covenants**, a 50% repayment of the direct payment plus the Base Fee is required of all conversions regardless of the years remaining at **Final Vote** for APR.
3. For **10 year FVEP Covenants**, a 50% repayment plus the Base Fee is required when the Final Vote for APR comes in years 1-5 of the FVEP Covenant, and the percentage drops by 10% each year thereafter until only the Base Fee is due in year 10.
4. The Commonwealth is to be granted a current APR, with Option to Purchase at Agricultural Value (un-amended); and when eligible FRPP language to be included.